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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,171	06/29/2001	John R. Mruz	A30904-070378.0107	7430

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EXAMINER

LEE, BENNY T

ART UNIT PAPER NUMBER

2817

DATE MAILED: 04/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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	7

DATE MAILED:

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 13 Jan 2003 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire Three (3) month(s), Days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449 | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474 | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1, 2, 3 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1, 2, 3 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.
8. ☐ Allowable subject matter having been indicated, formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. These drawings are: ☐ acceptable;
☐ not acceptable (see explanation).
10. ☐ The ☐ proposed drawing correction and/or the ☐ proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved. ☐ disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections **MUST** be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW TO EFFECT DRAWING CHANGES", PTO-1474.
12. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

SN 896171

Art Unit: 2817

DETAILED ACTION

Applicants' cancellation of non-elected claims 4 & 5 renders moot the restriction requirement.

The disclosure is objected to because of the following informalities: Through out the amended specification, note that "A-D" following a reference number (e.g. "16A-D", etc) should be rewritten at the respective occurrence to also include the respective reference number prior to "D" (i.e. --16A-16D--, etc). In figs. 4,5, applicants' should review the description of those drawings to make sure that all labeled elements therein have been correspondingly described. Also, reference labels (44, 50) need to be described relative to fig. 7. Appropriate correction is required.

Claims 1, 2, 3 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

With respect to these claims, there does not appear to be support in the original specification that the "matching elements" are "lossless", as recited in these amended claims. Accordingly, such a limitation has been treated as "new matter".

If applicants' do not believe that the above noted limitation is "new matter", then an appropriate explanation is required, including pointing out where in the original disclosure, support for the limitation in question can be explicitly found.

Art Unit: 2817

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 2, 3 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kim et al (of record) for reasons of record as supplemented by the following comments.

As described in the detailed rejection set forth in the previous Office action, Kim et al discloses the switched and impedance match signal divider as originally claimed. With regard to the amended limitation of "a center conductor", note that generic transmission line (34) constitutes a conductor connected to the common port (32) and as evident from fig. 8, which is a physical realization of the schematic circuit of Fig. 4, the transmission lines are realized by coaxial transmission lines which inherently include a "center conductor". Moreover, with regard to the "reactive impedance matching network", note the transmission line elements (56) which constitute the impedance matching network inherently have "reactive" characteristics. As for the "lossless" nature of such a network, note that the purpose of impedance matching is to provide optimum signal/power transfer and thus such networks inherently would have to have been "lossless" to provide such optimum transfer. Finally, the "matching elements arranged to connect to said center conductor" is evident from Kim et al in that such matching elements (56) do indeed "connect" via resistors (50), line elements (40), and switching elements (38) to transmission line (34) as evident from fig. 4.

Applicant's arguments filed 13 January 2003 have been fully considered but they are not persuasive.

Art Unit: 2817


Applicants' have asserted that the prior art Kim et al reference fails to meet the amended limitations of this claim. Namely, Kim et al fails to disclose "reactive" matching which is "lossless" as claimed.

Contrary to applicants' assertions, as pointed out in the reasoning set forth in the above rejection, the matching elements (56) of Kim et al are indeed "reactive" as well as "lossless" and thus continue to meet the claimed invention.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Lee whose telephone number is (703) 308 4902.


BENNY T. LEE
PRIMARY EXAMINER
ART UNIT 2817